MISSOURI RIVER
MASTER WATER CONTROL MANUAL
PUBLIC HEARING
November 14, 2001

BE IT REMEMBERED that the above-styled cause came on for Hearing at The Radisson Hotel, 185 Union Avenue, Memphis Tennessee, at 7:00 p.m., on the 14th of November, 2001, before Colonel Daniel W. Krueger, Deputy Commander, Northwestern Division, U. S. Army Corps of Engineers presiding:

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- P R O C E E D I N G S -

HEARING OFFICER: Good evening and welcome to this evening's public hearing on the Revised Draft Environmental Impact Statement for the Missouri River Master Manual. I am Colonel Dan Krueger. I'm the Deputy Division Engineer for the Northwestern Division of the United States Army Corps of Engineers.

Let me introduce some of our Corps team that prepared the Environmental Impact Statement that is here with us tonight. In the back of the room is Ms. Rosemary Hargrave, Roy McAllister over on the side, Mr. John Larandeau, Ms. Patti Lee, Mr. Paul Johnston, Mr. Rick Moore, Ms. Jody Farhat, Ms. Betty Newhouse.

We also have representatives of the Mississippi Valley Division here with us tonight, firstly, Mr. Larry Kilgo and Mr. Don Flowers. Additionally, we have from the Western Area Power Administration, Mr. Jimmy Black. Before proceeding further, do we have any elected officials here this evening that would like to be recognized?

This is the 13th of 14 currently

scheduled public hearings from Helena, Montana down to New Orleans, Louisiana, which we'll conduct tomorrow night. This afternoon we conducted an open-house workshop right here. I hope many of you were able to stop by the studies and displays and pick up hand-outs and talk with the staff. If you weren't, please take a few minutes this evening to visit the displays around the room.

Our agenda tonight will start with a short video, which includes a description of the project, the future of the Revised Draft Environmental Impact Statement and the major impacts. We want everyone to have a common understanding of the RDEIS. Copies of the summary of the RDEIS and hand-outs, as well as the entire document, are available at libraries and project offices throughout the basin. Also you can get a copy by writing to us or off of our website. The addresses are available in the back of the room.

Following the video, I'll give a fuller description of the comment process tonight and then take your comments. We will stay as long as necessary for everyone to be heard. With that, we

can begin with the video.

(Whereupon, the video was shown.)

HEARING OFFICER; Thank you for your attention, and we hope that was informative for those who have read through the entirety of the manual. I'll now bring the hearing session to order. This hearing is being recorded by Gere Rivera at Alpha Reporting Corporation here in Memphis. She will be taking testimony that will be the basis for the official transcript of record of this hearing.

This transcript, with all written statements and other data, will be made part of the administrative record for action. If you are interested in obtaining a copy of the transcript for this session or any other session, you may do that. Persons interested in receiving a copy need to indicate this on one of their cards available at the table by the entrance. Also if you're not on our mailing list and desire to be, please indicate this on the card as well.

In order to conduct an orderly hearing tonight, it is essential that I have a card from anyone who desires to speak, giving your name and

who you represent. If you wish to make a statement and have not filled out a card, please raise your hand, and we will furnish you with a card. The primary purpose of tonight's session is to help ensure we have all of the essential information that we will need to make our decision on establishing guidelines for future operations of the Main Stem System and that this information is accurate.

This is your opportunity to provide us with some of that information. We view this as a very important opportunity for you to have an influence on the decision. Therefore, I am pleased that you are here with us tonight. I want you to remember that tonight's forum is to discuss the proposed changes in the operation of the Missouri River Main Stem System that are analyzed in the recently released Revised Draft Environmental Impact Statement. We should concentrate our efforts this evening on issues specific to that decision.

It is my intention to give all interested parties the opportunity to present their views on the proposed changes freely, fully,

and publicly in the spirit of receiving a full disclosure and providing an opportunity for you to be heard regarding the future decision for which we have called this hearing. Anyone wishing to speak or make a statement will be given an opportunity to do so.

As Hearing Officer, my role and responsibility is to conduct a hearing in such a manner to ensure the full disclosure of all relevant facts bearing on the information we currently have before us. If that information is inaccurate or incomplete, we need to know that, and you can help us make that determination.

Ultimately, the final selection in trying to provide this framework for future operations of the Main Stem System will be based on the benefits that may be expected to accrue from the proposed plan, as well as the probable negative impacts, including cumulative impacts. This includes significant social, economic, and environmental factors.

Should you desire to submit a written statement and you do not have it prepared, you may send it to the United States Army Corps of

Engineers, Northwestern Division. The address will be available at the back. The official record for this hearing will be open until the 28th of February, 2002. To be properly considered, your written statement must be postmarked by that date.

Before I begin taking testimony, I would like to say a few words about the order and procedure that will be followed. When we call your name, please come forward to the lectern. State your name and address and specify whether you're representing a group, agency, or organization, or if you're speaking this evening as an individual. You will be given five minutes to complete your testimony, which is the standard we have had at all of the series of workshops.

If you're going to read a statement, we would appreciate it if a copy would be provided to the reporter prior to speaking so your remarks will not have to be taken down verbatim. After all of the statements have been made, time will be allowed for any additional remarks. During the session, I may ask questions to clarify points for my own satisfaction since the purpose of this

public hearing is to gather information which will be used in evaluating a proposed plan or an alternative to it.

Since open debate between members of the audience will be counterproductive for this purpose, I must insist that all comments be directed to me, the Hearing Officer. With the exception of the public officials or the representatives who will speak first, speakers will be given an equal opportunity to comment on a random basis. Please remember you have a limitation of five minutes.

We'll be using a lighted timer. When the yellow light comes on, you have two minutes of time remaining. When the red light comes on, your five minutes are up. No portion of the unused time will be transferred to another speaker. The purpose of this hearing is to permit members of the public an equal opportunity to present their views, information, or evidence.

To allow one speaker to stockpile unused time for others, the result would be the hearing record would be unfairly tainted, and others waiting to speak may be discouraged from doing

so. I will now call the names of those would have submitted cards beginning with elected officials or their representatives.

First, representing the Governor of Missouri from the Missouri Department of Natural Resources is Mr. Jerry Vineyard.

SPEAKER: Good evening. My name is Jerry Vineyard. I am the River Basin Coordinator for the Missouri Department of Natural Resources. I represent the Department on interstate water issues on both the Mississippi and the Missouri Rivers. Thank you for the opportunity to speak this evening.

Our agency continues to have concerns about the operational changes proposed for the Missouri River and the resulting impacts to the Mississippi. The Missouri River flows into the Mississippi immediately upstream from the second largest inland port in the nation, St. Louis. The stretch of the Mississippi River between St. Louis and Cairo, Illinois is often referred to as the bottleneck reach because it is located between the system of locks and dams and the Ohio River.

Low flow in this reach can act as a bottleneck for waterborne commerce on the inland waterway system. During periods of low flow in the Mississippi River, the Missouri River provides as much as two-thirds of the water to the bottleneck reach of the Mississippi that supports river commerce and other beneficial uses of the river.

Even though there is a direct link between these two great rivers, the effects of changes to the management of the Missouri River on the Mississippi have received surprisingly little attention in the Master Manual discussion thus far. Although the Corps of Engineers manages these two great rivers independently, they must allow river users in both basins to fully understand how changes to the Missouri River management may affect the reliability of both rivers.

Earlier this year, the Governors of eight Mississippi River states, Kentucky, Tennessee, Mississippi, Illinois, Louisiana, Arkansas, Wisconsin, and Minnesota, joined Missouri Governor Bob Holden in requesting that

the decisions on the operations on the Missouri River only be reached with the direct involvement of all of the states that rely on the inland waterway system.

They asked that the Corps offer briefings to all the Mississippi River states on the full effect of these proposals, including reasonably anticipated future depletions. The governors also requested that the Corps provide a reasonable, anticipated depletion analysis on the entire Mississippi River System for all of the alternatives that are under consideration, including the Fish and Wildlife Service's proposal found in the biological opinion.

Further, the Corps was asked to not select its "Preferred Alternative" until these analyses and briefings have been completed and the states have been allowed time for meaningful review and input. A copy of this letter is attached to my testimony.

I've also submitted for the record a copy of the strongly worded resolution issued by the Southern Governors' Association opposing any flow management alternatives on the Missouri River

that would reduce support for waterborne commerce on the Mississippi River, especially in the spring and fall.

All new plans in the RDEIS retain more water in the Main Stem reservoirs at the expense of flow support to the Lower Missouri and the Mississippi Rivers. Large decreases in flow support occur when navigation is not supported on the Missouri River.

Under the MCP alternative, large decreases in flow support occur 40 percent of the time or 40 years out of 100. Our analysis indicates that 75 percent of the time, these cutbacks in flow on the Missouri River coincide with low water on the Mississippi. In other words, 30 out of the 40 years you have this effect.

In contrast, the current water control plan has cutbacks only 9 percent of the time or nine years out of 100, coinciding with low water on the Mississippi River about 78 percent of the time or seven out of nine years. The current Water Control Plan clearly has the greater flexibility in flow support to the Mississippi

than any of the other plans presented in the RDEIS.

We believe that plans must be evaluated under future water depletion conditions. The MCP plan has not been analyzed with future levels of depletion. If the Corps had analyzed MCP, we would expect that there would be an exponential increase in the magnitude and frequency of low water events on the Mississippi. Consequently, we would also expect the economic impacts to grow exponentially.

During the RDEIS process, the Corps analyzed future depletion scenarios for several plans. The C31 plan is possibly the closest plan to the MCP plan. Under C31, there are four years out of 100 where the entire ice-free period is at the greatly reduced flow level. With 0.8 million acre feet of additional depletion, this rises to seven out of 100 years, and with 1.6 million acre feet of depletion, it rises to eight out of 100 years.

The plan really shows a dramatic change at the 3.2 million acre feet of additional depletions where there would be 25 out of 100

years where there would be substantial flow cuts for the entire ice-free season from April to December. This compares to only eight out of 100 years under the current water control plan with 3.2 million acre feet of additional depletions. I have included a graphical presentation of this in my testimony that shows bars representing periods when substantial higher flow is provided.

Because of this analysis, we call on the Corps to significantly scale back the higher reservoir levels that are embedded in all of the new flow management proposals in the RDEIS in order to provide or to avoid major negative impact to navigation on the Mississippi. Because of the limited amount of time here tonight, I won't go into any detail, but I do wish to touch on a couple more concerns.

First, the Mississippi River economic impacts displayed in the RDEIS are somewhat misleading. Sensitivity analysis performed by the Corps shows that the results can be greatly affected by minor adjustments in the models. The results can also be dramatically changed with the exclusion of one year, 1939. Therefore, any

conclusions from the data presented should be looked at very, very carefully.

Second, the RDEIS leads one to believe that all five of the new plans are better for water commerce on the Mississippi River, while at the same time indicating a need for increased dredging and changing the low water reference plane, something that in itself should be studied in detail. This seems contradictory to us.

Third, of the five new plans in the RDEIS, the Corps has only analyzed the impact of future depletions on two of the new plans. These plans increase lost efficiency cost by about ten fold over the current water control plan, in other words, about $10 million per million acre feet of additional depletion versus about one million.

Finally, we believe that the new higher reservoir levels and the resulting downstream flow restrictions would adversely impact waterborne commerce on the Mississippi River. Last November is an example of where this would have been the case. So I have also attached to my testimony a chart showing the stage at St. Louis under current operations versus the MCP plan.

Thank you very much for the opportunity to comment.

HEARING OFFICER: Thank you, Mr. Vineyard.

Mr. Tad Kardis representing the Missouri Attorney General.

SPEAKER: Thank you, Colonel. My name is Tad Kardis. I represent the Missouri Attorney General, Jay Nixon. The Missouri River is flowing by outside our door tonight, or is it? The mighty Mississippi would not be quite so mighty without the Missouri River Basin, which covers about one-sixth of the United States to drain into it. Indeed, the Corps recognizes the relationship between these two great rivers and the effective management these great rivers can have on the people here in the Mid-South. That's why the Corps is here tonight.

What if the Missouri River didn't flow into the Mississippi River Basin or what if -- what if significantly less of it did? The Missouri River is not bottomless. It's a finite resource. The Corps initiated this Master Manual review and update. Upstream states have used

political clout and party leadership positions to secure the Corps' attention, but science and common sense suggests the Corps should pay closer attention to the threat of depletion and the impact they could have on downstream states under the Master Manual alternatives.

The Corps' analysis of depletion is inadequate. There has been no analysis of depletion whatsoever with respect to the Modified Conservation Plan or MCP alternative. This alternative appears to be a leading contender for the next Master Manual since it's a variation on a theme once backed by the seven of the eight Missouri River Basin Association states. The Missouri River was the lone hold-out primarily because of the impact of depletion on operations under the MRPA alternative.

Depletion of the flow management of the Missouri River are important to the Mississippi River states because the Missouri River provides as much as 60 percent of the Mississippi River's flow at times. A reduction in this flow support to the Mississippi River navigation could be enormously costly, as Mr. Vineyard mentioned, the

reach between St. Louis and Cairo, Illinois, the transportation bottleneck, particularly during low levels.

How does flow management impact the bottleneck? The Missouri Department of National Resources analyzed the MCP's impact on the Mississippi River. As Mr. Vineyard said, it concluded that low flows on the Missouri River will coincide with low water on the Mississippi River at a frequency that translates into an impact on the Missouri River flow, 30 out of every 100 years.

In stark contrast, the present Master Manual impacts the Mississippi River flow only about seven out of every 100 years. Flow reduction could also have disastrous impact on the fish and wildlife on the Mississippi. For example, reduced flow requires more frequent channel dredging. This may affect the endangered pallid sturgeon. The potential for a conflict in the pallid sturgeon and the Mississippi River commerce, like the contentious battle in Alabama and Tombigbee Waterway is more likely under Master Manual alternatives to provide for a low summer

flow or split navigation.

The impact of flow management changes could be compounded by future depletion of the Missouri River waters. For instance, the Garrison diversion. Fuel is a rational concern about the logical fact of depletion analysis. It seems like a long way from home, North Dakota. The Garrison diversion is intended to take the Missouri River water to the outside of the basin, and it has been labeled the grand-daddy of wasteful water projects by National Environmental Protection.

For years, it was thought to be dead. Reports of its demise have been greatly exaggerated. It has been reincarnated in the Dakota Water Resources Act, a new name, same project. That's not the end of the story. The State of North Dakota has set aside about $382 million from its tobacco settlement proceeds to fund water development projects, and the United States Congress continues to fund these boondoggles as well.

On October 30th, this year, a House Senate Conference Committee approved more than $70 million in funding for the North Dakota water

project, including twenty-seven and a half million for the Garrison diversion. Yet, the Corps still virtually ignores our concerns about depletions. Under the National Environmental Policy Act, the Corps must consider reasonably foreseeable future developments. We intend to fight the Garrison diversion doggedly, the Corps should conduct a more thorough depletion analysis under NEBA.

This conflict is not limited to out of basin transfers. There has been a great deal of debate, but the Corps' legal authority to manage the Missouri River to incidental benefit of the Mississippi River, suffice it to say that's just one more thing the upstream states or Missouri did not agree about. The Congress and the Corps plainly agree with Missouri on this point.

First, the authorizing legislation gives the Corps authority to operate the Missouri River Basin reservoir system to support navigation. The Pick-Sloan Plan does not specify that the Corps' authority is limited to supporting Missouri River navigation. Moreover, the Flood Control Act of 1944 speaks about the nation's rivers, not just the Missouri River.

Second, the government is consistently taking the position that the reservoir should be used to support the navigation on both rivers. The legislative history bears that out. Furthermore, in 1952, a joint working group from the Bureau of Reclamation from the Missouri River Division published a report on the operation of the Main Stem reservoirs.

The report reflected the consensus. The reservoirs are to be operated, quote, to control floods on the Missouri River below Fort Peck dam and to lower flood crest of the Mississippi River and to provide adequate control for navigation on the Missouri River and connecting inland waterways.

It's worth noting that the Corps has relied on the work group's report as recently as 1990. Finally, as Colonel Fastaband said in the video we saw tonight, the Missouri River has managed to provide benefits to the nation, not just the Missouri River Basin.

Thank you for the opportunity to tell you about our concerns about the future of the Missouri and Mississippi Rivers.

HEARING OFFICER: Thank you, Mr. Kardis. With that ending representatives of elected officials, I move to agency representatives. We have one, Mr. Mike Olson.

SPEAKER: Good evening, Colonel Krueger. My name is Mike Olson. I'm here this evening on behalf of the U. S. Fish and Wildlife Service to issue a brief statement on the RDEIS.

Last night in St. Louis, Colonel Fastaband asked the audience members to remember those in uniform serving overseas, and it reminded me of a quote by a president about 100 years ago. He said, short of defending our country in time of war, the one thing each and every citizen of this country should strive for is to leave our natural resources in a better shape than we inherited them. Most people know that's a quote from Theodore Roosevelt. I thought it was appropriate based on the opening comments from last night.

Our agency, the Fish and Wildlife Service has primary authority for oversight of our nation's rarest plants and animals under the Endangered Species Act. The Missouri River is home to the endangered pallid sturgeon and least

tern and the threatened piping plover. The decline of these species tells us that the river is not healthy for its native fish and wildlife, and that there needs to be a change in its management to restore the Missouri to a more naturally functioning river system.

Congress committed the Federal Government to preventing these extinctions by requiring Federal Agencies to use their authorities to conserve endangered and threatened species. During the last 12 years, our two agencies have been working together to modernize the management of the Missouri River and to help stabilize and hopefully begin to increase and recover populations of these very rare animals.

This new approach was described recently in a document called the "Missouri River Biological Opinion" published in November of 2000. That biological opinion looks at the river as a system and outlines the status of these rare species, the effects of the current operation on them, and most importantly, a reasonable and prudent alternative to the current operation that will not jeopardize their continued existence.

Our biological opinion is based on the best available science and includes nearly 500 scientific references. In addition, we've sought out six respected scientists independent from the Corps and the Service. These big river specialists confirmed the need to address full management, as well as habitat restoration.

In addition, the Missouri River Natural Resources Committee, a group comprised of state experts on Missouri River management endorses the science in the opinion. The bottom line of this science is that river species require river functions. If you've read the RDEIS or summary document, you understand that the GP alternatives encompass the range of flows identified by the Service as necessary below Gavin's Point to keep the listed species from being jeopardized.

Our agency and the Corps also recognize the importance of some flexibility in management that would enable river managers to capitalize on existing water conditions to meet endangered species objectives without having to go through another 12-year process.

Other management changes identified in

the Biological Opinion include a spring rise to Fort Peck Dam, improved hatchery operations, restoration of approximately 20 percent of the lost aquatic habitat, intrasystem unbalancing, and an acceptance of an adaptive management framework that would include, among others things, an improved overall monitoring of the river.

In closing, the Service supports the identified goal of the revised Master Manual, which is to manage the river to serve contemporary needs of the Missouri River basin and nation. These needs include taking steps to ensure that threatened and endangered species are protected while maintaining many other socioeconomic benefits being provided by the operation of these dams.

We stand behind the science used in the opinion, and we're confident that the operational changes identified in the opinion and included in the RDEIS as GP alternatives will ensure that these rare species continue to be a part of the Missouri River's living wildlife legacy.

As the video stated, the Missouri is a tremendous river with a significant and revered

heritage. Unfortunately, our influence has altered this river greatly and changes are needed to modernize and restore health to this river for the people as well. Thank you.

HEARING OFFICER: Thank you, Mr. Olson. George Grugett?

SPEAKER: Good evening. My name is George Grugett, and I'm an environmentalist, so are all of my friends and everyone I know. We're the dumb environmentalists. We don't make the enormous salaries, and we believe that people have a place in the overall scheme of things. I feel like I'm also a creature of habit. This is the third time I have been to a public hearing to talk about changing the Missouri River Master Water Control Manual.

In 1990, some 11 years ago, we filled a large meeting room in the Hilton Hotel near the airport here in Memphis. Everyone was present, and I do mean everyone spoke in strong opposition to the proposed changes to the Master Water Control Plan for the Missouri River. My good friend, Margie Tyler, at that time, the Executive Director of the Mississippi Ports and Harbors

Association, said it best when she told the Corps of Engineers representative present, and I quote, your plan stinks.

Four years later on October the 6th, 1994, we filled an even larger room at the Holiday Inn in the eastern part of Memphis, again, with everyone present. Everyone spoke in opposition to the proposed changes to the Master Water Control Plan for the Missouri River. Again, my good friend, Margie Tyler, emphatically stated, your plan stinks.

Here we are again at the Radisson Hotel in downtown Memphis. Let me tell you today, your plan still stinks. You know it stinks. I know it stinks, but I'm also pretty sure it's going to be implemented with little or no regard to the economy of this nation.

As I told a group in Orlando in 1994, I'm not sure this great nation's economy can survive much more of this type of change. Make no mistake, these proposed changes have very little, if anything, to do with the so-called endangered species. This is about money, recreation money to be more specific.

All six of the alternatives outlined in the Revised Draft, RDEIS, allows for additional water storage in the upstream reservoirs in Montana and the Dakotas to keep them at a higher level that will benefit water recreation. You don't have to be a history professor to know that these reservoirs were not built with taxpayer's dollars for the use of water-skiers, boaters, and fishermen.

They were built for flood control and navigation. The fact that water-related recreation has become such a financial windfall for the states of Montana and the Dakotas is great, but we must not sacrifice flood control and navigation on the Missouri and Mississippi Rivers for recreation.

If we continue the trend I see so plainly, we will soon get back to the point where no one has the time to recreate. Everyone will be hard pressed to make ends meet, and water-skiing will not be a priority. Again, although I cannot do it as well as Margie, let me say it again, your plan stinks.

Your current Water Control Plan has

worked well for all of these years. It still works well. Leave it alone. Go home and go to work. This country has more important things to do. We don't need to be spending time with this kind of foolishness. Thank you very much.

HEARING OFFICER: Thank you, Mr. Grugett. Chris Brescia?

SPEAKER: My name is Chris Brescia. I'm president of MARC 2000, a St. Louis based public advocacy coalition, their agricultural, industrial, transportation, and labor group committed to the long-term modernization of the inland waterway system. MARC 2000 imposes five of the six alternatives especially for that that require range of increased water releases for the GP series in the Gavin's Point dam. A fifth alternative, MCP, transfers too much water from all basin users to upper basin users only. The sixth alternative, CWCP, still provides the best alternative to meet all congressionally authorized purposes, including navigation, flood control, recreation, hydropower, fish and wildlife needs.

Adoption of any of the GP plans or MCP would result in: One, the elimination

of navigation on the Missouri River, a congressionally authorized purpose; two, increased unreliability of the Mississippi River navigation system in one-third more years during low water years than under the current system; three, the loss of as much as 300 million in historic property; four, the loss of over 6,000 Riparian habitats; five, the loss of warm-water fish habitats; six, increased groundwater seepage on agricultural land; seven, increased interior drainage problems in the districts; and eight, reduced flood control value.

Regardless of the spin others may provide, this issue is all about water and what eventually it will mean for St. Louis and points south. There are anywhere from four to ten million acre foot of water that will never see its way down the river system as it does today under the MCP and GP plans. This is not acceptable.

The immediate impact of this will be navigation impacts as your own documentation suggests. Even though it's flawed, it still

suggests as much as 86 percent of the possibility of the elimination of navigation on the Missouri River. I reemphasize that's a statistical evaluation, not an actual impact evaluation. Anyone with common sense knows that if you eliminate 86 percent of an industry, they are gone.

What is still yet to truly be evaluated properly are the impacts on the Mississippi River. That's why I'm here today in Memphis. Just in this past week while many of our stakeholders representing testimony at similar public hearings, as well as we are doing this evening, I was called by a contractor for the Corps of Engineers who was just starting to work on documenting the real impact on the Mississippi River. I had to ask myself what is over there on that board and how does that relate to what we're talking about and what he's doing?

The bottom line is that the Mississippi River is going to receive less water. It's counter-intuitive to believe that the impact analysis that you're presenting to the public today suggests that it's better for the

Mississippi River to receive less water. That is probably based on the fact, since I don't know and I don't have the documentation, that in good years there is plenty of water, but in bad years, there is still less water but the averaging out eliminates the real impact.

In 1988 and 1999, if you took those two years and you looked at the business failures that occurred in those two years, those business failures don't show up in your impact analysis because of 100-year averaging. With 100-year averaging, you can eliminate plague in world history. That is not a correct way to present how these proposals are truly going to impact people in the basin.

What is surprising is that we're being asked to look at alternatives that are going to yield maybe a $4 million increase in recreation to the upper basin and 164 acres for habitat, new habitats for terns and plovers. This is done at a shift that affects a population basis of 54 million people the length of the Mississippi River and the Lower Missouri River.

Finally, if there is any doubt about the

future plans that have been alluded to already today, all you have to do is look at the construction program that is being undertaken in North Dakota for the eventual shifting of water from the Missouri River Basin to the Red River Valley in West and North Dakota.

Elimination of navigation on the Missouri River will not only affect the one-and-a-half commercial tons on that river, it will also affect 38 million tons. That equates to 42 percent of all of the corn shipped out of the basin, 64 percent of all of the wheat, 51 percent of all of the soybeans, 26 percent of the coal, 50 percent of the chemicals, 47 percent of finished fertilizer, 46 percent of iron, steel, and scrap. Those impacts do not find their way to the flows, but those are real.

Finally, in conclusion, over the last 40 years, the current Water Control Plan has allowed Missouri River navigation to grow until water flow was arbitrarily halted in violation of the guidelines of the current Master Manual. Ever since then, navigation has been in decline.

Could you expect anything less where

there is total unreliability as to when and what type of water we're going to get? During the same period, recreation grew and thrived in the upper basin states under the current Water Control Plan. MARC 2000 submits that this current Water Control Plan is still the best way for the Missouri and Mississippi basin. Thank you, sir.

HEARING OFFICER: Thank you, Mr. Brescia. Richard Opper?

SPEAKER: Thank you, Colonel. I also want to thank your staff with whom we've worked over the years. They have done a great job of working with the people in the basin to try to get us through this Master Manual. It has taken us 12 years so far. Hopefully, we're getting close to the end. I think everyone of us hope that. I'm sure you do.

HEARING OFFICER: Yes, sir.

SPEAKER: I'm Richard Opper. I am the Executive Director of the Missouri River Basin Association, which is a coalition of the states and tribes in the Missouri River Basin. Obviously, it's a difficult task to try to find common ground among states that have such diverse

interest and cultures and needs from the Missouri River System. That's exactly what we have been trying to do over these past several years, is to find common ground, and it is what we have been largely, not completely, but largely successfully doing.

Let me give you a little bit of history here. At the request of the Corps, the Missouri River Basin Association undertook a massive effort back in 1995 to try to find at least certain elements of a river operating plan that the states and the tribes could support. The last two years of this process, we focussed on the two most difficult issues in our basin, which are related to drought flow management and recovery of the basin's threatened and endangered species, a very, very difficult and controversial issue.

We work very closely with the stakeholders in the basin. We had a series of now four meetings where we brought stakeholders together face to face and discussed the issues with them and let them discuss it with each other. We had smaller meetings with groups of navigators and recreators. We had those with

water interests. We had fish and wildlife advocates. We had countless board meetings that were negotiation sessions on these elements of the river operating plan that we're trying to come up with.

All of our board meetings were open to the public, of course. The public attended most of these meetings, too. Finally, after this exhaustive effort, we did agree on some elements of the plan that we felt were a good compromise on the drought flow issue, in which we hoped to avoid the jeopardy listing by the U. S. Fish and Wildlife Service. Let me just summarize our plan very briefly here for you.

In terms of the drought flow management, we recommended that if we have another drought of the intensity and duration of the drought of the late 1980s, early 1990s, that the Corps hold back roughly 2 million acre feet more water in the reservoir system than it actually did back in the drought. This is water that could be available and be released downstream later in the drought, but in a droughted out site, we recommend holding back that much water.

In our opinion, this was a fairly modest amount of water conservation. If you look at the data in your book, Fort Peck, for example, under most of your preferred alternatives doesn't get up there at all. The other big reservoirs might end up dropping 40 feet. It's a fairly modest amount of water conservation.

In terms of endangered species, we had a four-fold approach. We recommended expansion in habitat acquisition in enhancement activity in the basin. We know we need a monitoring program for our basin. We have to know if our efforts to recover them are taking toward our goal. That has to be in place immediately. We recommended a Recovery Committee. The Corps has always had a lot of flexibility in management of the system and always will.

Now that the biological opinion is out, we put a name on it. We call it Adaptive Management, and it scares the heck out of people. The truth is the Corps has had that anti-flexibility all along. We felt since you put a name on that, flexibility, now it's probably time to institutionalize a way to make sure that

the stakeholders and the basins can continue to participate in these discussions. We think a Recovery Committee in our basin would do that.

Finally, when it comes to flow, we recommended that the Corps experiment with flows, changes out of Fort Peck reservoir in the upstream states to see if we could provide benefits to the fish and bird species in that 200-mile stretch between the two large reservoirs. We did not recommend flow changes in the lower rivers. That was the most controversial aspect of our plan. We did not recommend the flow changes.

Now, the end, as we've heard, all of the member states, except Missouri, supported our plan, seven of our eight member states supported the plan. The tribes didn't vote one way or the other. They didn't oppose it. After we came up with our plan, the Fish and Wildlife Service issued its biological opinion. We're glad to see the Service adopted every one of our recommendations. I thought that was a good sign.

However, the Service also said they concluded that our plan would not avoid

jeopardizing the three threatened endangered species in our basin. It said that we did not go far enough environmentally. It said that the changes to the flows in the lower river system are going to be necessary to recover the species in the basin.

Now, we're evaluating, of course, drafting the EIS. All five of the alternatives included recommendations, all five of them. We're happy to do see that. Four of the five, as we heard, included various proposed flow changes in the river system. Let me just point out something to you about these flow changes.

Compared to the spring rise that was proposed by the Corps in 1994, these are relatively benign, the smallest spring rise proposed by the Corps is three quarters as large and lasted about as fifth as long when it occurred. It only occurs about a third as often as the one that the Corps proposed in 1994. It's a much smaller thing.

I think this is reflective in both the Corps' and the Service's efforts to try to protect the use of the river system and the basin. We're

appreciative of that. At this point, MRBA still endorses its original plan. We're still evaluating the flow changes. In our mind, we haven't made a decision or made a decision where we stand on those.

If it proves to us that these changes do more than -- accomplish more than doing no harm but they actually do some good for the species, without harming or eliminating the existing use of the river system, we'll probably consider those anyway. That's all I have. Thank you very much.

HEARING OFFICER: Thank you, Mr. Opper. Dan Irvin?

SPEAKER: Hello, Colonel. My name is Dan Irvin. I work for Ingram Barge Line. I'm an active pilot working on the river up and down St. Louis down to New Orleans and on the Upper Mississippi River above St. Louis. I've watched your plan, and I've listened to what you proposed. I don't see any way that it's fair and equitable. You all talk about fair and equitable, but it seems to me you're wiping out one industry to save another or give benefits to another.

Nowhere have I seen you address or take

into account the safety issues when you start talking about groundings and breaking up tows and the navigation interest. You all keep talking about water and waterborne traffic and all of this good stuff, but nowhere has anybody talked about the impact of dangerous cargo being spilled in the river due to reduced flows from St. Louis down to Cairo. In that respect, I don't think your plan is fair and equitable at all. That's all I have to say. Thank you.

HEARING OFFICER: Thank you, Mr. Irvin. Bill Stegbauer?

SPEAKER: Good evening, Colonel, other members of the Corps. I would like to thank the Corps for this opportunity. My name is Bill Stegbauer. I'm the President of Southern Towing Company based here in Memphis, Tennessee. We operate towboats and barges on the gulf, intracoastal waterways, and the inland waterway system, including the Missouri River. We employee over 200 people.

Tonight I'm here to express our company's concerns with the alternatives presented in the RDEIS. Construction of the dams from the

Missouri River and the locks and dams on the Mississippi River were begun in the 1930s. Congress mandated a nine-foot channel to move agricultural products in a cost-effective manner from the land-locked Mid-West to the coast and the export markets.

Before these rivers became a reliable third coast, farmers were held hostage to high rail rates. Farm income was often devastated by these high rates. With the construction of the water super highway, low cost transportation became available, and rail was forced to compete with business. This phenomenon, otherwise know as water-propelled rates, saved shippers in the region between 75 to $200 million per year in decreased rail and truck rates when forced to compete with the Missouri River.

Our industry is disappointed these numbers are not proportionately evaluated for the immediate, real regional economic benefits or costs. We call on the Corps to correct their methodology that fully reflects the economic hardship to regional base without river navigation. The Corps has underestimated flow

levels needed for minimum service. The flows used in the study are pre-1993 flood needs.

Over 100 dikes have not been repaired since the 1993 flood, increasing the amount of flow needed for minimal service of several thousand kcfs. We call on the Corps to adjust these numbers to fit reality and a congressional mandate to support navigation. The ability to ship by barge also mitigates major air pollution problems in the St. Louis area and surrounding areas.

As a non-attainment zone, the region already faces heavy scrutiny from the EPA. If barge traffic no longer existed on the Missouri River, a reasonable expectation of the split navigational proposals up to one-and-a-half million tons of commodities would be forced to rail or truck. If this tonnage were shifted to truck, almost 40,000 more trucks would move through St. Louis yearly.

This does not consider tonnage that would have to move off of the Mississippi River due to decreased reliability. The RDEIS does not indicate that the Corps has evaluated increased

costs due to appreciably increased air pollution to the potentially increase in fatalities on our roads or the cost of increased road and bridge construction.

Our company would request that the Corps consider the environmental cost of this mobile shift. The impact on the Mississippi River are unknown at this time or grossly underestimated. The Corps has either not evaluated, considered, or released information of the following: One, the Corps and the Missouri Department of Natural Resources split navigation, otherwise known as low summer flows, would render the Mississippi River unreliable at least 27 out of 100 years.

How will this impact the nation's economy and the American farmer? Will agricultural exports still be able to be competitive in the world market? The spring rise, otherwise known as the plan spring flood, would vacillate in a short period of time the water levels of the St. Louis harbor. There is no evaluation of how fast the St. Louis Corps District could dredge the harbor. What are the costs?

Three, the depletion analysis fact sheet initially misstated that GP2021 would save the nation ten million when, in fact, it would be a $10 million cost. How many more mistakes are there in the RDEIS that we have not been able to locate? The Corps has not allowed appropriate time for stakeholders to evaluate these documents.

Four, with low summer flows, how would the unreliability of the Missouri, the Mississippi, and the Illinois Rivers impact our national security? The Department of Defense relies or our river system to move supplies during peace time and war time.

Five, why are shippers increased costs not included in the economic cost?

Six, why is the methodology used to evaluate recreation and navigation different? How can we compare apples to oranges?

We request the Corps reevaluate their economic analysis. The study must reflect a true impact to the entire nation. The waterways industry desires to provide the nation with the safest most environmentally friendly and cost

effective form of transportation.

We request the Corps and the U. S. Fish and Wildlife Service to reevaluate the biological opinion, the RDEIS, and look for ways to balance all of the basins equally. Sufficient water flows for navigation in the Missouri and Mississippi can be maintained while improving habitat for threatened and endangered species.

Habitat restoration in concert with current flow is dictated by the current Water Control Plan to find such a balance. Adaptive management, an ingredient of all the options, would disenfranchise the stakeholder. It also is illegal under the NEPA.

We strongly urge the Corps to choose the current water control plan as its preferred alternative and work to create habitat for threatened and endangered species in a way that does not endanger America's economic prosperity, the American farmer, and the environment. In summary, we remain strongly opposed to any changes to the Missouri River reservoir operations that would jeopardize the Missouri River or Mississippi River navigation. Thank you.

HEARING OFFICER: Thank you, Mr. Stegbauer. Harvey Sanner?

SPEAKER: Thank you. Hello, Colonel. Good to see you again. My name is Harvey Joe Sanner. I live at Dezarc, Arkansas. I'm President of the Arkansas Waterways Association. I was asked to be here today to represent the Arkansas Waterways Commission as well in that our director could not be here today.

I didn't prepare a written statement, but if you wouldn't mind, if you would take Mr. Rasha's and Mr. Jordan's statement and Xerox those, I'll sign them for you because that's basically what I wanted to say when I came over here.

I haven't been a waterway enthusiast all that long, but I have been around long enough to know what it does mean to our country and how terribly underutilized it is. What I see in these alternative plans, the way the Missouri River is operating now, instead of increasing the use of the waterways, we're talking about decreasing, and that's something contrary to what we ought to be doing.

As a matter of fact, if you go to Europe now, you see a major effort by the environmentalists to utilize waterborne transportation more so. In this country, our environmental community seems to think it makes good sense to decrease the use of waterborne transportation.

This past year the Arkansas legislature, for the first time, seemed to recognize the hidden treasure we have had for about 1,000 miles of navigable waterways in the state and passed legislation that will establish a fund for the local communities in partner with the state and invest in waterway infrastructure development. It was not funded. That's going to be our goal next year.

I say that to make a point. Finally, finally, Arkansas is waking up and seeing what is happening to surrounding states that have made an investment in their waterway infrastructure. When the gentlemen mentioned about not being able -- the methodology now doesn't recognize the impact, I would mention that on a port harbor tour two weeks ago with the Arkansas Waterways Association

in Ft. Smith, we took the Ft. Smith Harbor, went into Muskogee port.

Now, that's a bonanza everybody in America that states this issue should see. At Ft. Smith, it's not all that much to look at. One or two barge loads a week may be unloading, but the important thing was from that one barge load of steel being unloaded in Ft. Smith, Arkansas, there were 800 jobs created because that facility is there. Four hundred of those jobs are 80 miles away at a tire plant.

So I think a lot of times many of us overlook the real benefits from waterborne transportation. That's a glowing example. I won't be here long. I know you have a lot of people to hear from, but first of all I think what I have always heard and have been told -- I have been a farm activist for a long time, but what Congress always tried to do was do no harm.

I think we would be well-advised to look at that, and take that advise in hand. It seems like to me you have a plan -- the plan you have now would service the country much better than any of the alternatives that I have studied. Thank

you very much.

HEARING OFFICER: Thank you, Mr. Sanner. Randy Richardson?

SPEAKER: Colonel, good to see you again. Ladies and gentlemen, my name the Randy Richardson. I am the Deputy Director of the International Port of Memphis. Like George, I have been here three times over 11-and-a-half years. This is one of the first things I got to do when I was hired at the Port of Memphis. I'm here today on behalf of Don McCrory, our director, who could not be here to read a statement for him.

I want to express our appreciation to the Port of Memphis for the opportunity to again present our view on the Revised Draft Environmental Impact Statement. I'm confused by what part of leave the existing plan alone is not understood. I will submit for the record my comments.

I have attached copies of a letter to the President of the United States from the Southern Governors' Association dated February 20th, 2001, and a copy of the Missouri Flow Management Resolution passed by the same

Southern Governor's Association on February 27th, 2001. Don Sundquist, Governor of the State of Tennessee has signed and approved both of these documents.

The Port of Memphis, through the Memphis and Shelby County Port Commission, has followed this situation for many years and finds that we still arrive at the same conclusion as when we first began looking at the operating plan. The Port of Memphis believes that the Current Water Control Plan for the operation of the Missouri River is still the best.

It satisfies all of the federally authorized purposes of flood control, navigation, hydroelectric power, fish and wildlife, and recreation. We recommend that none of the other five alternatives be implemented to change the current plan of operation.

After all of the study, analyses, and money that has been expended on this subject, I am concerned that the true result has still not been presented. I trust that this nation and our waterways' interest, which include everyone that has an interest, does not arrive at another

situation like the Upper "Mis" Study.

That is not good for any of the parties involved, but once again, it appears that the models employed are not working. We trust that this has not gotten to be a turf battle of who is in charge. This nation's waterways are the concern of all of its citizens, whether they realize it or not.

The waterways function as a system and the individual segments must be separated from the whole. In this case, the Missouri River influences the performance of the Mid and Lower Mississippi, which, of course, influences the Upper Mississippi and Ohio.

The Port of Memphis has reviewed the points made by representatives of MARC 2000 and agrees with their key points and their explanation of those points. Since I am confident this body has a copy of the comments made by MARC 2000, I will not attach them to this statement.

It is the hope of the Port of Memphis that a conclusion to this issue can be reached. It is further our recommendation to continue the present plan of operation of the Master Water

Control Manual on the Missouri River. Also, I would like to briefly read into the record a letter from the Rosedale-Bolivar County Port Commission, Rosedale, Mississippi, from David Work.

The Rosedale-Bolivar County Commission does not support any changes to the current Water Control Plan. Too much is at stake for all parties involved to start making changes to this plan that could jeopardize commerce on our inland river system.

With cargo tonnage projected to double by the year 2020 and with the navigable river system being the lowest cost per ton mile, most favorable environmental transportation systems with sufficient capacity for growth, it is imperative that we maintain and/or improve water flows to the Mid to Lower Mississippi River system.

We appreciate the opportunity to offer this statement. Thank you very much.

HEARING OFFICER: Thank you, Mr. Richardson. Rob Rash?

SPEAKER: Colonel, you're a very patient

man.

My name is Rob Rash. I'm Chief Engineer with the St. Francis Levee District headquartered in West Memphis, Arkansas. Our district is located in Eastern Arkansas, and we are the local cooperation organization for the St. Francis Basin Project and Mississippi River and Tributaries Project in Northeast Arkansas.

Our district maintains 160 miles of mainline levee on the west bank of the Mississippi River beginning at the Arkansas/Missouri state line and extending to the mouth of the St. Francis River. We also have 75 miles of tributary levees along the St. Francis River. We are involved in the movement and control of water surface runoff of 4.8 million acres of farmland, industrial, commercial and residential development, and upland runoff each year.

We are funded totally by taxes paid by people we protect. We are strongly opposed to any changes in the current plan of operation of the Missouri River. We are downstream from Cape Girardeau, Missouri and directly and adversely affected with any flooding that occurs on the

Mississippi River.

In 1993, if it had not been for our district, our levee system, and other features within the district in cooperation with the Corps, water from the Mississippi River would have flowed through our area for 150 consecutive days beginning in April going through most of September.

To receive any additional waters would have been an unacceptable situation for our taxpayers. Our levee system was never in danger of breaching, but additional waters would have continued to put more pressure on an already saturated levee creating an undesirable situation. Also, from September through February, we experienced low river levels, which makes river transportation difficult and sometimes impossible.

Because the U. S. Army Corps of Engineers took control and has the responsibility of improving navigation, flood control, and drainage on the Mississippi River and its tributaries, the river transportation has been greatly enhanced in our area, but decreasing any

flow coming across the Memphis area would greatly negatively affect the river transportation.

Our district also has thousands of acres of unprotected farmland. This farmland is on the river side of the levee and is some of the finest cropland in the Delta. Any change in the current plan of operation of the Missouri River would destroy the productivity of this unprotected farmland and the livelihood of hundreds of farmers.

Thousands of taxpayers in seven counties are protected by our levee system. The safety and welfare of those people and many others is dependent upon our levee system working properly. We are strongly opposed to any plans that would cause our levees to be jeopardized in any way. Our citizens' welfare, safety and the investments they have already made in our district and up and down the Mississippi and Missouri River are far more important than the least tern, pallid surgeon, or piping plover.

I must remind you that those who advocate these changes, the reservoirs and the improvements which have been made on the

Mississippi River and the Missouri River, were authorized by Congress for the benefit of flood control, drainage, and navigation.

The environmentalists, the conservationists, and other such entities have reaped many benefits from these reservoirs, any improvements made by the Corps of Engineers on the two rivers. We do not want to circumvent what Congress has authorized and justified to the taxpayers of this nation.

We are at the point in our nation that we must explore every possible means of reducing our dependency upon foreign oil markets. We need to utilize anything and any mode of transportation, which is more economical than our highways. Waterborne commerce and transportation is far more economical for moving goods throughout the heartland of our nation.

It is much more environmentally acceptable than the many emissions that come from our trucking industry, and it is the safest means of transportation that we have. We need to look to improve our waterway infrastructure and not be

looking for ways to discourage development of those assets. We need to improve and grow and construct more hydroelectric plants on the river, not less.

We believe it is time to quit holding these hearings, time to quit studying the changes to the Missouri Master Water Control Plan. I believe it's time to wrap the changes to the Master Water Control Plan up and look for ways to further improve the facilities that we have on the two great rivers of our nation. Thank you.

HEARING OFFICER: Thank you, Mr. Rash. John Crivello?

SPEAKER: Good evening, Colonel Kruger. Thank you for having this hearing in Memphis. I'm John Crivello. I work for Ingram Barge Company in Paducah, Kentucky. I'm a veteran of 30 plus years as a crew dispatcher on the nation's inland river system. I have experienced and observed high water, low water, ice conditions, and all of the smooth sailing in between. So why would adjusting the flows on the Missouri River conducted by a new Master Control Plan cause me fear?

I'm not a hydrologist. I might be an

environmentalist. My office at Ingram Barge Company in Paducah overlooks the confluence of the Tennessee and the Ohio River. This is where I, along with four other crew dispatchers, coordinate the movement and pay wages for over 950 of the nation's finest inland merchant mariners. It's apparent to me from the beautiful vantage point in Paducah that the nation's rivers are integrated in a magnificent God-given system encompassing some 22,000 navigable miles, including the mighty Missouri River.

I have a special appreciation of that river. I attended a small college between St. Joe, Missouri and Kansas City for four years. Therefore, the plan for the flow of one river must reflect the impact on all of the rivers. If holding back water on the Missouri River is going to choke off the Mississippi from St. Louis to Cairo in times of low water, navigation could cease. The Nike ad won't work. We can't do it. We have no water.

This causes me some real fear. I'll become the crew dispatcher sending crews home to the unemployment line. I'd tell farmers and

manufacturers to put the added tonnage in trucks and railcars. I'd tell mom's and dad's on vacation all of the added weights and rail crossings and added trucks on the highways is a result of the loss of the 9-foot channel for navigation between St. Louis and Cairo. This was done by design.

We certainly don't want this tremendous amount of added tonnage off of the water and on the already overburdened rail and highway system. It really causes me some fear. We seek a balanced approach, including navigation, for commerce and pleasure craft, flood control of thriving natural habitats, water quality, and national security.

We need to maintain and improve what we have and not let one segment of the region choke off another. We want you to consider the impact on all of the rivers by keeping the current Water Control Plan. Thank you very much.

HEARING OFFICER: Thank you, Mr. Crivello.

We have no further cards that have been submitted. Is there anyone else who wishes to

testify this evening? If there are no further comments, this hearing session is closed. I would remind you that the hearing administrative record will be open again until the 28th of February, 2002 for anyone who wishes to submit by written fax or electronic comments. Again, if you want to be on our mailing list to receive a copy of the transcript, you need to fill out one of the cards available at the table by the entrance.

Ladies and gentlemen, I thank you very much for being here tonight and showing your interest and most importantly for providing us with very valuable information, which I can assure you will be considered in making a decision on the Master Manual Plan to select for the Missouri River Main Stem System operations framework.

Personally, it has been a pleasure to come back to Memphis to see so many old friends and acquaintances. I appreciate you having come out tonight to provide your input with respect to our work here. Thank you very much, again, for coming, and please drive home safely.

(Whereupon, the hearing was concluded at 9:10 p.m.)

C E R T I F I C A T E

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, GERE M. RIVERA, Shelby County, Tennessee, CERTIFY:

The foregoing proceedings were taken before me at the time and place stated in the foregoing styled cause with the appearances as noted.

Being a Court Reporter, I then reported the proceeding in Stenotype, and the foregoing pages contain a true and correct transcript of my said Stenotype notes then and there taken.

I am not in the employ of and am not related to any of the parties or their counsel, and I have no interest in the matter involved.

I further certify that in order for this document to be considered a true and correct copy, it must bear my original signature, and that any reproduction in whole or in part of this document is not authorized and not to be considered authentic.

WITNESS my signature, this the ____ day of _____, 2001.

_____
GERE M. RIVERA, CCR

_____

Notary Public At Large
for the State of Tennessee
My Commission Expires:

C E R T I F I C A T E

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, GERE M. RIVERA, Shelby County, Tennessee, CERTIFY:

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Being a Court Reporter, I then reported the proceeding in Stenotype, and the foregoing pages contain a true and correct transcript of my said Stenotype notes then and there taken.

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I further certify that in order for this document to be considerd a true and correct copy, it must bear my original signature, and that any reproduction in whole or in part of this document is not authorized and not to be considered authentic.

WITNESS my signature, this the 27th day of November, 2001.

GERE M. RIVERA, CCR

Notary Public At Large
for the State of Tennessee
My Commission Expires:

TESTIMONY TO THE U.S. ARMY CORPS OF ENGINEERS ON THE MISSOURI RIVER MASTER MANUAL RDEIS
BY: JERRY VINEYARD
RIVER BASIN COORDINATOR
MISSOURI DEPARTMENT OF NATURAL RESOURCES
Memphis - November 14, 2001

Good evening, my name is Jerry Vineyard. I am the River Basin Coordinator for the Missouri Department of Natural Resources. I represent the department on interstate water issues on both the Mississippi and Missouri Rivers. Thank you for the opportunity to speak.

Our agency continues to have concerns about operational changes proposed for the Missouri River and the resulting impacts to the Mississippi River. The Missouri River flows into the Mississippi River immediately upstream of the second largest inland port in our nation – St. Louis. The stretch of the Mississippi River between St. Louis and Cairo, Illinois is often referred to as the "bottleneck reach". Located between the system of Locks and Dams and the Ohio River, low flow in this reach can act as a bottleneck to waterborne commerce on the inland waterway system. During periods of low flow in the Mississippi River, the Missouri River provides as much as two-thirds of the water to the "bottleneck reach" of the Mississippi supporting river commerce and other beneficial uses of the river.

Even though there is a direct link between these two great rivers, the effects of the changes to the management of the Missouri River on the Mississippi River have received surprisingly little attention in the Missouri River Master Manual discussion. Although the Corps of Engineers manages these two great rivers independently, they must allow river users in both basins to fully understand how changes to Missouri River management may affect the reliability of both rivers.

Earlier this year, the governors of eight Mississippi River states (Kentucky, Tennessee, Louisiana, Mississippi, Illinois, Arkansas, Wisconsin, and Minnesota) joined Missouri Governor Bob Holden in requesting that decisions on the operations on the Missouri River only be reached with the direct involvement of all the states that rely on the Inland Waterway System. They asked that the Corps offer briefings to all the Mississippi River states on the full effects of these proposals, including reasonably anticipated future depletions. The governors also requested that the Corps provide a reasonable anticipated depletion analyses on the entire Mississippi River system for all alternatives that are under consideration including the Fish and Wildlife Service's proposal found in the Biological Opinion. Further, the Corps was asked to not select its "Preferred Alternative" until these analyses and briefings had been completed and the states have been allowed time for meaningful review and input. A copy of this letter is attached to my testimony.

All new plans in the RDEIS retain more water in the Main Stem Reservoirs at the expense of flow support to the lower Missouri and Mississippi rivers. Large decreases in flow support occur when navigation is not supported on the Missouri River. Under the MCP alternative, large decreases in flow support occurs 40 percent of the time (40 out of 100 years). Our analysis indicates that 75 percent of the time, these cutbacks in flow on the Missouri River coincide with low water on the Mississippi River (30 of the 40 years). In contrast, the Current Water Control Plan cutbacks 9 percent of the time (9 out of 100 years), coinciding with low water on the Mississippi River about 78 percent of the time (7 of the 9 years). The Current Water Control Plan clearly has greater reliability for flow support to the Mississippi River than any of the other plans presented in the RDEIS.

We believe that plans must be evaluated under future water depletion conditions. The MCP plan has not been analyzed with future levels of depletions. If the Corps had analyzed MCP, we would expect that there would be an exponential increase in the magnitude and frequency of low water events on the Mississippi River. Consequently, we would also expect the economic impacts to grow exponentially. During the PRDEIS process the Corps analyzed future depletion scenarios for several plans. The C31 plan is possibly the closest plan to the MCP plan. Under C31 there are 4 years out of 100 where the entire ice-free period is at the greatly reduced flow levels. With 0.8 MAF of additional depletions, this rises to 7 out of 100 years and with 1.6 MAF of additional depletions, this rises to 8 out of 100 years. The plan really shows a dramatic change at the 3.2 MAF of additional depletions, where 25 out of the 100-year period has substantial flow cuts for the entire ice-free season (April to December). This compares to 8 out of 100 years under the Current Water Control Plan with 3.2 MAF of additional depletions. A graphical representation has been included for C31 and the Current Water Control Plan (CWCP) with future depletions added. The bars represent periods when substantially higher flow support is provided.

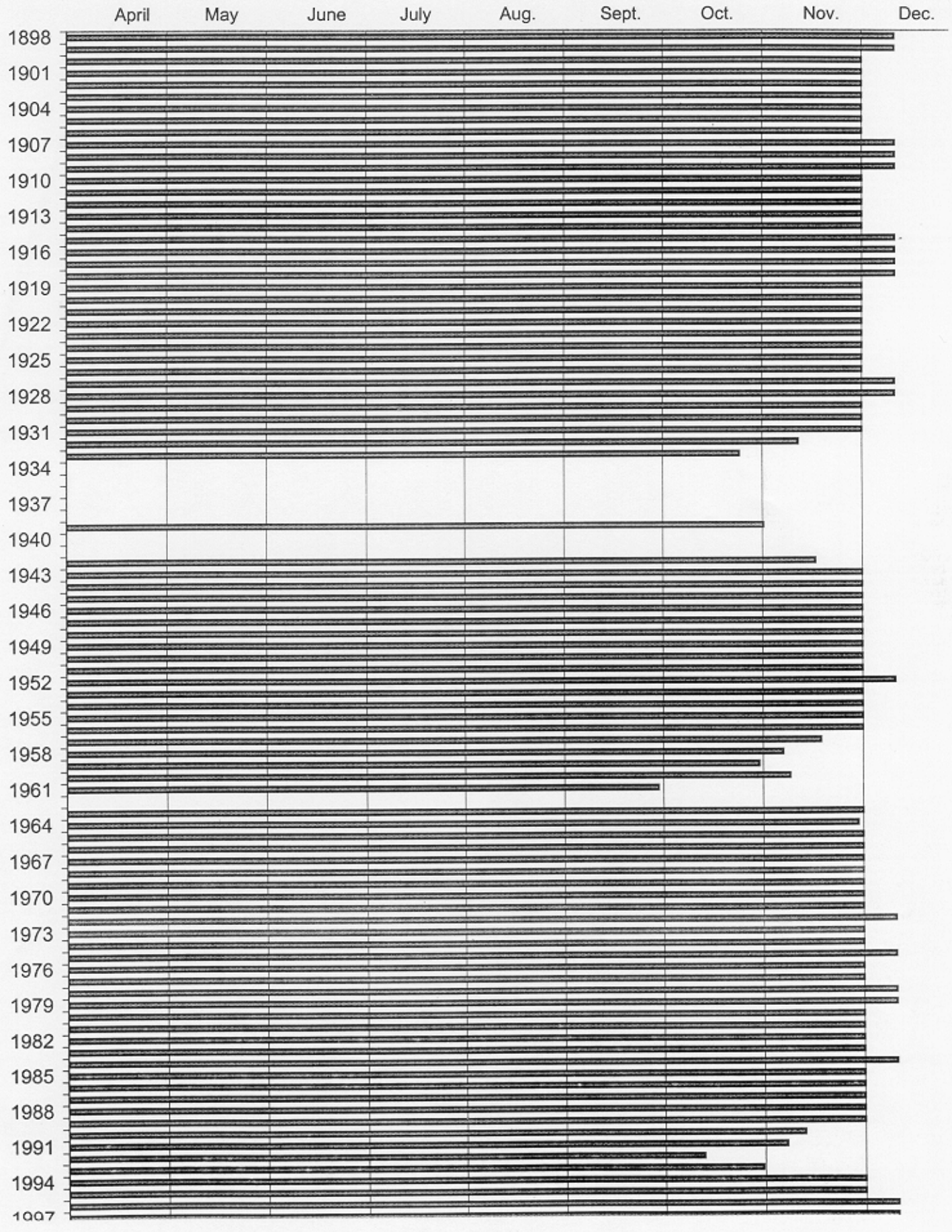
Because of the limited amount of time here tonight, I will not go into detail but wish to at least touch on several concerns.

1. The Mississippi River economic impacts displayed in the RDEIS are misleading. Sensitivity analysis performed by the Corps has shown that the results can be greatly affected by minor adjustments in the models. The results can also be dramatically changed with the exclusion of 1 year (1939). Therefore any conclusions from data presented should be carefully scrutinized prior to making any decisions or recommendations.

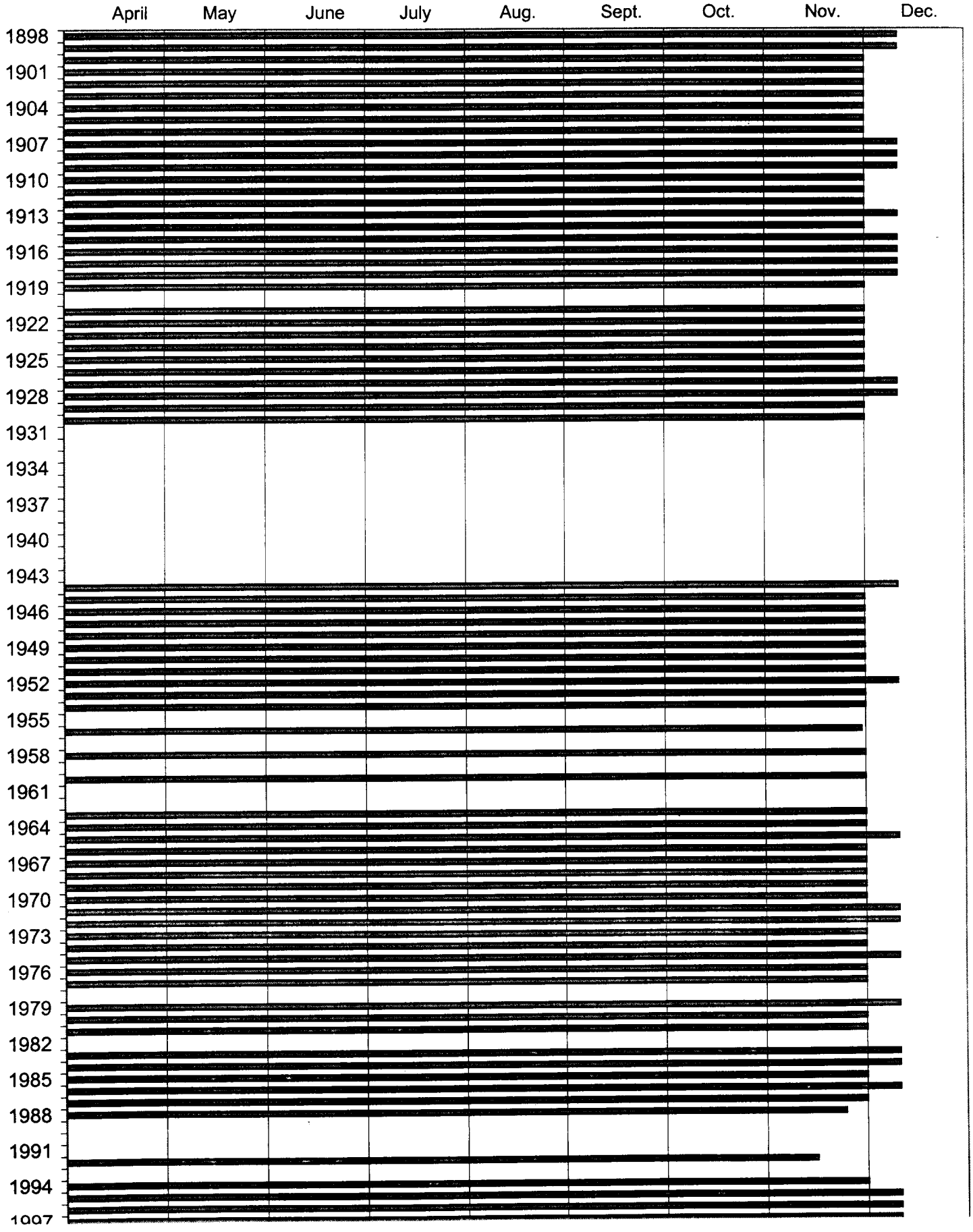
2. The RDEIS leads one to believe that all of the 5 new plans are better for water commerce on the Mississippi River, while at the same time indicating a need for increased dredging and changing the low water reference plane (something that should be studied in detail). This seems contradictory.
3. Of the five new plans in the RDEIS, the Corps has only analyzed the impacts of future depletions on two of the new plans. These plans increase lost efficiency costs by about 10 fold over the Current Water Control Plan (about $10 million per MAF of additional depletion versus about $1 million).
4. We believe that the new higher reservoir levels and resulting downstream flow restrictions would adversely impact water commerce on the Mississippi River. Last November is an example of where this would have been the case. Attached to my testimony is a chart showing the stage at St. Louis under current operations versus the MCP plan.

Thank you for the opportunity to comment.

Flow Support to Mississippi River from Missouri River
1898-1997 Under Current Water Control Plan
with 3.2 Million Acre Feet Additional Depletions



Flow Support to Mississippi River from Missouri River
1898-1997 Under C31 (C31 Represents the Most Comparable Past Plan to the Modified Conservation Plan (MCP) Currently Being Considered)
with 3.2 Million Acre Feet Additional Depletions



March 22, 2001

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

As governors of states along the Mississippi River, we are writing to express our concern about management changes proposed for the Missouri River. Major changes are being considered without documentation of their full effects or input from the impacted states outside the Missouri River Basin. The Missouri River flows into the Mississippi River immediately upstream of the second largest inland port in our nation – St. Louis. The stretch of the Mississippi River between St. Louis, Missouri and Cairo, Illinois is often referred to as the "bottleneck reach" because of the need for flow support to provide for transportation needs. During periods of low flow in the Mississippi River, the Missouri River provides as much as two-thirds of the water to the "bottleneck reach" of the Mississippi River supporting navigation and other beneficial uses of the river.

The U.S. Army Corps of Engineers is preparing a new plan for the operations of the Missouri River. The proposals under serious consideration include higher reservoir levels that would actually decrease flexibility in managing this complex system for flood control and other project purposes. The Corps' Northwest Division's "Preferred Alternative" would shorten the navigation season on the Missouri River by 27 days and reduce the reliability of navigation on the Mississippi River during a critical period in the late fall. An analysis of the last 100 years of records shows that, under this alternative, fall cutbacks would have occurred in 35 out of 100 years. This is over four times more often than under the current water management plan. In addition, six years would have had no navigation season compared with one under the current plan. Had this proposal been in effect during the year 2000, water levels at St. Louis and in the "bottleneck reach" of the Mississippi River would have been two to three feet lower for a period of 27 days in November. The other proposals being discussed vary slightly in detail, but would result in similar impacts.

Depletions of water from the Missouri River continue to increase as demands for water grow. These depletions increase the adverse impacts of the alternative on downstream reaches of the Missouri River and the Mississippi River. Depletions exacerbate the situation by increasing the frequency of shortened navigation seasons and years with no navigation. By lowering the total amount of water in the Missouri River reservoir system, these depletions would reduce

releases from the reservoirs, particularly during low precipitation. These years are often the same years that the Missouri River provides critical flow support to the "bottleneck reach".

The effects of the alternative and increased depletions greatly amplify the impacts of either one considered in isolation. They would prove harmful to Midwest agriculture, the ports from St. Paul to New Orleans and industries that rely on the Mississippi River to move their products and represent a serious blow to our nation's economy.

In addition to these considerations, the U. S. Fish and Wildlife Service has proposed an increased spring rise and a period of low flow in the summer to help three endangered and threatened species. If implemented, this would further exacerbate the effects of higher reservoirs and depletions. We support addressing endangered species issues in a reasonable manner that considers all environmental and economic issues. Substantial gains have been realized for the same species on the lower Mississippi River using creative habitat restoration without any change in river flow. This approach has succeeded without the disruption of normal river operations.

We urge you to ensure that decisions are reached on the operations on the Missouri River only with the direct involvement of all those states that rely on the Inland Waterway System. It is important that the Corps offer a briefing to all the Mississippi River states on the full effects of these proposals, including reasonably anticipated future depletions. We request that you direct the Corps to analyze the effects of the Fish and Wildlife Service proposals and reasonably anticipated depletions on the entire Mississippi River system and the compounded effects of these changes on the Corps' "Preferred Alternative". The Corps should not select its "Preferred Alternative" until these analyses and briefings have been completed and the states have been allowed time for meaningful input. Finally, we urge you to form an inter-agency group, including the Secretaries of Transportation and Agriculture, to review the implications of these proposals prior to implementation.

Respectfully,

Paul E. Patton
Governor of Kentucky

Don Sundquist
Governor of Tennessee

M.J. "Mike" Foster, Jr.
Governor of Louisiana

Ronnie Musgrove
Governor of Mississippi

George H. Ryan
Governor of Illinois

Bob Holden
Governor of Missouri

Mike Huckabee
Governor of Arkansas

Scott McCallum
Governor of Wisconsin

Jesse Ventura
Governor of Minnesota

cc: The Vice President
The Honorable Donald H. Rumsfeld, Secretary of Defense
The Honorable Gale Norton, Secretary of the Interior
The Honorable Ann Veneman, Secretary of Agriculture
The Honorable Norman Mineta, Secretary of Transportation

U.S. Fish and Wildlife Service
Public Comments
Missouri River Master Manual Hearing
Memphis, Tennessee, November 14, 2001

Good evening, my name is Mike Olson and I'm here this evening on behalf of the U.S. Fish and Wildlife Service to issue a brief statement on the Revised Draft Environmental Impact Statement for the Missouri River Master Water Control Manual. I'm also here to listen to the comments in person from citizens on this important issue.

The Service has primary authority for oversight of our nation's rarest animals under the Endangered Species Act. The Missouri River is home to the endangered pallid sturgeon and least tern, and the threatened piping plover. The decline of these species tells us that the river is not healthy for its native fish and wildlife, and that there needs to be a change in its management to restore the Missouri to a more naturally functioning river system. A healthy river provides wildlife habitat, supports fishing, and makes boating an attractive recreational activity.

Congress committed the Federal Government to preventing extinctions by requiring Federal agencies to use their authorities to conserve endangered and threatened species. During the last 12 years our agency has been working with the U. S. Army Corps of Engineers to modernize the management of the Missouri River to help stabilize and hopefully, begin to increase and recover populations of these vary rare animals. This

new approach was described recently in a document called the "Missouri River Biological Opinion," published in November 2000.

The biological opinion looks at the river as a system and outlines the status of these rare species, the effects of the current operation on them, and a reasonable and prudent alternative to the current operation that will not jeopardize their continued existence.

Our biological opinion is based on the best available science and includes nearly 500 scientific references. In addition, we've sought out 6 respected scientists – "big river specialists" – who confirmed the need to address flow management, as well as habitat restoration. Further, the Missouri River Natural Resources Committee, a group comprised of the state experts on Missouri River management, endorses the science in the opinion.

If you have read the RDEIS or summary document, you understand that the "GP alternatives" encompass the range of flows identified by the Service as necessary below Gavin's Point Dam to keep the listed species from being jeopardized. Our agency, and the Corps, also recognized the importance of some flexibility in management that would enable Missouri River managers to capitalize on existing water conditions to meet endangered species objectives without having to go through another 12-year process.

Other management changes identified in the biological opinion include a "spring rise" out of Fort Peck Dam, an improved hatchery operation to assist declining pallid sturgeon populations, restoration of approximately 20% of the lost aquatic habitat in the lowest 1/3 of the river, intrasystem unbalancing of the three largest reservoirs, and acceptance of an adaptive management framework that would include improved overall monitoring of the river.

In closing, the Service supports the identified goal of the revised master manual - to manage the river to serve the contemporary needs of the Missouri River Basin and Nation. These needs include taking steps to ensure that threatened and endangered species are protected while maintaining many other socioeconomic benefits being provided by the operation of the Missouri River dams. The Service stands behind the science used in the opinion, and is confident that the operational changes identified in our opinion, and included in the RDEIS as GP alternatives will ensure that these rare species continue to be a part of the Missouri River's living wildlife legacy.

The Missouri River is a tremendous river, with a significant and revered heritage. Our influence has altered the river greatly. Changes are needed to modernize and restore health to the river – for the benefit of rare species and for people, too.

BOARD OF DIRECTORS
ST. FRANCIS LEVEE DISTRICT
P.O. BOX 399 • PHONE 870/735-1062 • FAX 870/735-1075
WEST MEMPHIS, ARKANSAS 72303

November 14, 2001

U. S. Army Corps of Engineers
Northwest Division
Attention: Missouri River Master Manual RDEIS
12565 West Center Road
Omaha, Nebraska 68144-3869

Gentlemen:

My name is Rob Rash, Chief Engineer of the St. Francis Levee District headquartered in West Memphis, Arkansas. Our district is located in Eastern Arkansas and we are the local cooperation organization for the St. Francis Basin Project and Mississippi River and Tributaries Project in Northeast Arkansas. Our district maintains one hundred and sixty (160) miles of mainline levee on the west bank of the Mississippi River beginning at the Arkansas/Missouri state line and extending to the mouth of the St. Francis River, approximately eight miles above Helena, Arkansas and seventy five (75) miles of tributary levee along the St. Francis River. We are involved in the movement and control of surface water runoff of 4.8 million acres of farmland, industrial, commercial and residential development, and upland runoff each year. We are funded totally by taxes paid from people we protect.

We are strongly opposed to any changes in the current plan of operation of the Missouri River. We are downstream from Cape Girardeau, Missouri and are directly and adversely affected with any flooding that occurs on the Mississippi River. In 1993 if it had not been for our District, our levee system, and other features within our District, water from the Mississippi River would have flowed through our area for 150 consecutive days beginning in April going through most of September. To receive any additional waters would not have been acceptable to our taxpayers. Our levee system was never in danger of breaching, but additional waters would have continued to put more pressure on an already saturated levee creating an undesirable situation. Also, from September through February we experience low river levels which makes river transportation difficult and sometimes impossible. Because the U.S. Army Corps of Engineers took control and has the responsibility of improving navigation, flood control, and drainage on the Mississippi River and its tributaries, river transportation has been greatly enhanced but would be greatly effected if the flow were decreased.

Our District also has thousands of acres of unprotected farmland. This farmland is on the riverside of the levee and is some of the finest cropland in the delta. Any change in the current plan of operation of the Missouri River would destroy the productivity of this unprotected land and the livelihood of hundreds of farmers.

Thousands of taxpayers in seven counties are protected by our levee system. The safety and welfare of those people and many others is dependent upon our levee system working properly. We are strongly opposed to any plans that would cause our levees to be jeopardized in any way. Our citizens welfare, safety and the investments they have already made in our District, and up and down the Mississippi River, and Missouri River are far more important than the least turn, pallid surgeon or piping plover.

We must remind you and those who advocate making those changes, the reservoirs and the improvements which have been made on the Mississippi River and on the Missouri River were authorized by Congress based upon the benefits of flood control, drainage, and navigation. The environmentalists, the conservationists, and other such entities have reaped many benefits from the construction of those reservoirs and from the improvements the U. S. Army Corps of Engineers have made on those two (2) rivers. We do not want to circumvent what Congress has authorized and justified to the taxpayers of this nation.

We are at a point in our nation that we must be exploring every possible means of reducing our dependency upon the foreign oil markets. We need to utilize anything and any mode of transportation which is more economical than our highways. Water borne commerce and transportation is far more economical for moving goods throughout the heartland of our nation. It is much more environmentally acceptable than the many emissions that come from our trucking industry and it is the safest means of transportation we have. We need to look to improve our waterway infrastructure and not be looking for ways to discourage development of those assets. We need to improve, grow and construct more hydroelectric plants on the rivers, not less. The people who are advocating these changes for the most part do not live here in the valley, they do not make their living here, they do not have investments here yet they have caused at least three (3) and perhaps more hearings on this same issue over the past few years which is asinine. We are continually wasting the taxpayers money by continually studying these issues, holding these hearings, and striving to find a plan to the benefit of the least turn, pallid sturgeon, and the piping plover. We need to be better stewards of our taxpayers than this.

The information that is presented by the U. S. Fish and Wildlife Service has no scientific basis and is highly flawed. In my District's dealing with the U. S. Fish and Wildlife Service we have found them to be an organization that speaks without any validity to the data they put out and most of their information and statements are salted with prefixes such as "this may happen", "this could happen", "this might happen". They never say unequivocally "this will happen". Those groups which support them such as the Sierra Club and other such organizations are based outside the area in question and have no vested interest in the area. We are thankful the U. S. Fish and Wildlife Service, the Sierra Club, and other like agencies did not exist at the time our forefathers began developing this country. Had they existed we would still be a third world country and not the leader of the entire world as we are today.

We believe it is time to quit holding these hearings and it is time to quit studying changes to the Missouri Master Water Control Plan. We believe it is time to tell the U. S. Fish and Wildlife Service and any others that are advocating these changes. They are not going to be made and we are going to continue to operate the Missouri River and the Mississippi River in the manner that Congress authorized and approved. Further, please tell them we are going to explore ways and means to improve and grow our navigation, flood control, and drainage interests on these two (2) great waterways of our nation.

Thank you very much for your time and attention.

Sincerely,

Rob Rash
Chief Engineer
St. Francis Levee District

SOUTHERN
GOVERNORS' ASSOCIATION

February 20, 2001

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

As governors of states along the Mississippi River, we are writing to express our concern about management changes proposed for the Missouri River. Major changes are being considered without documentation of their full effects or input from the impacted states outside the Missouri River Basin. The Missouri River flows into the Mississippi River immediately upstream of the second largest inland port in our nation – St. Louis. The stretch of the Mississippi River between St. Louis, Missouri and Cairo, Illinois is often referred to as the "bottleneck reach" because of the need for flow support to provide for transportation needs. During periods of low flow in the Mississippi River, the Missouri River provides as much as two-thirds of the water to the "bottleneck reach" of the Mississippi River supporting navigation and other beneficial uses of the river.

The U.S. Army Corps of Engineers is preparing a new plan for the operations of the Missouri River. The proposals under serious consideration include higher reservoir levels that would actually decrease flexibility in managing this complex system for flood control and other project purposes. The Corps' Northwest Division's "Preferred Alternative" would shorten the navigation season on the Missouri River by 27 days and reduce the reliability of navigation on the Mississippi River during a critical period in the late fall. An analysis of the last 100 years of records shows that, under this alternative, fall cutbacks would have occurred in 35 out of 100 years. This is over four times more often than under the current water management plan. In addition, six years would have had no navigation season compared with one under the current plan. Had this proposal been in effect during the year 2000, water levels at St. Louis and in the "bottleneck reach" of the Mississippi River would have been two to three feet lower for a period of 27 days in November. The other proposals being discussed vary slightly in detail, but would result in similar impacts.

Depletions of water from the Missouri River continue to increase as demands for water grow. These depletions increase the adverse impacts of the alternative on downstream reaches of the Missouri River and the Mississippi River. Depletions exacerbate the situation by increasing the frequency of shortened navigation seasons and years with no navigation. By lowering the total amount of water in the Missouri River reservoir system, these depletions would reduce releases from the reservoirs, particularly during low precipitation. These years are often the same years that the Missouri River provides critical flow support to the "bottleneck reach".

The effects of the alternative and increased depletions greatly amplify the impacts of either one considered in isolation. They would prove harmful to Midwest agriculture, the ports from St. Paul to New Orleans and industries that rely on the Mississippi River to move their products and represent a serious blow to our nation's economy.

In addition to these considerations, the U. S. Fish and Wildlife Service has proposed an increased spring rise and a period of low flow in the summer to help three endangered and threatened species. If implemented, this would further exacerbate the effects of higher reservoirs and depletions. We support addressing endangered species issues in a reasonable manner that considers all environmental and economic issues. Substantial gains have been realized for the same species on the lower Mississippi River using creative habitat restoration without any change in river flow. This approach has succeeded without the disruption of normal river operations.

We urge you to ensure that decisions are reached on the operations on the Missouri River only with the direct involvement of all those states that rely on the Inland Waterway System. It is important that the Corps offer a briefing to all the Mississippi River states on the full effects of these proposals, including reasonably anticipated future depletions. We request that you direct the Corps to analyze the effects of the Fish and Wildlife Service proposals and reasonably anticipated depletions on the entire Mississippi River system and the compounded effects of these changes on the Corps' "Preferred Alternative". The Corps should not select its "Preferred Alternative" until these analyses and briefings have been completed and the states have been allowed time for meaningful input. Finally, we urge you to form an inter-agency group, including the Secretaries of Transportation and Agriculture, to review the implications of these proposals prior to implementation.

Respectfully,

Paul E. Patton
Governor of Kentucky

Don Sundquist
Governor of Tennessee

M.J. "Mike" Foster, Jr.
Governor of Louisiana

Ronnie Musgrove
Governor of Mississippi

George H. Ryan
Governor of Illinois

Bob Holden
Governor of Missouri

Mike Huckabee
Governor of Arkansas

cc: The Vice President
The Honorable Donald H. Rumsfeld, Secretary of Defense
The Honorable Gale Norton, Secretary of the Interior
The Honorable Ann Veneman, Secretary of Agriculture
The Honorable Norman Mineta, Secretary of Transportation

SOUTHERN
GOVERNORS' ASSOCIATION

Missouri River Flow Management Resolution

Sponsored by Governor Bob Holden of Missouri
Approved February 27, 2001
Southern Governors'Association Winter Meeting
Washington, DC

Whereas, the flow of commerce on the Mississippi River is essential to the economic welfare of the nation;

Whereas, the United States Department of Agriculture reports that 70 percent of the nation's total grain exports were handled through Mississippi River port elevators;

Whereas, more than one half of the nation's total grain exports move down the Mississippi River to Gulf ports;

Whereas, free movement of water-borne commerce on the Inland Waterway System is critical to the delivery of goods to deep-water ports for international trade;

Whereas, the reliability of adequate flows for navigation is a key requirement for fulfillment of delivery contracts, employment in ports and terminals, and energy efficiency;

Whereas, delays and stoppages would threaten the successful implementation of international trade agreements under NAFTA and GATT;

Whereas, the Missouri River contributes up to 65 percent of the Mississippi River flow at St. Louis during low water conditions;

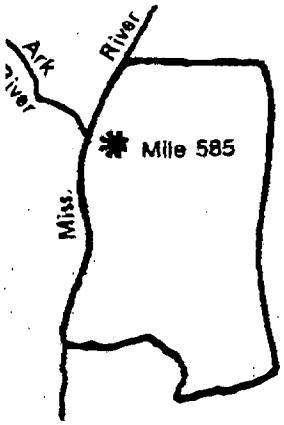
Whereas, reduction of Missouri River flows above St. Louis would result in more frequent and more costly impediments to the flow of commerce on the Mississippi River;

Whereas, the reach of the Mississippi River between the mouth of the Missouri River at St. Louis and the mouth of the Ohio River at Cairo, Illinois is at highest risk for delays and stoppages of navigation because of low-water conditions; and

Whereas, the Northwestern Division of the U.S. Army Corps of Engineers (USACE) is considering several proposed alterations to the current edition of the Master Water Control Manual for the Missouri River that would reduce support of water-borne commerce by restricting the flow of the river during the summer and fall, low-water period at St. Louis; now, therefore, be it

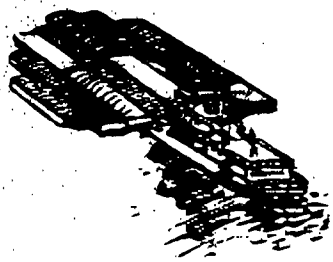
Resolved, That the Southern Governors' Association would strongly oppose any alterations that would have such an effect and would urge the Corps to consult with affected inland waterway states prior to endorsing any proposal that would alter the current edition of the manual.

HALL OF THE STATES 444 NORTH CAPITOL STREET, NW SUITE 200 WASHINGTON, DC 20001
202/624-5897 FAX 202/624-7797 WWW.SOUTHERNGOVERNORS.ORG



Rosedale-Bolivar County Port Commission

Terminal Road, Port of Rosedale
Post Office Box 460 • Rosedale, MS 38769
Telephone: (662) 759-6212
FAX: (662) 759-6213



DATE: November 14, 2001

TO: U.S. Army Corp. of Engineers

FROM: David Work

RE: Public Hearing, Memphis, Tennessee, November 14, 2001
Missouri River Master Water Control Manual

The Rosedale-Bolivar County Port Commission does not support any changes to the current water control plan. Too much is at stake for all parties involved to start making changes to this plan that could jeopardize commerce on our inland river system.

With cargo tonnage projected to double by the year 2020, and with the navigable river system being the lowest cost per ton mile, most favorable environmental transportation system with sufficient capacity for growth, it is imperative that we maintain and or improve water flows into the Mid to Lower Mississippi river system.

We appreciate the opportunity to offer this statement.

Sincerely,

David Work

STATEMENT

GEORGE C. GRUGETT
EXECUTIVE VICE PRESIDENT
MISSISSIPPI VALLEY FLOOD CONTROL ASSOCIATION

GOOD EVENING, MY NAME IS GEORGE GRUGETT AND I'M AN ENVIRONMENTALIST, SO ARE ALL MY FRIENDS AND EVERYONE I'M ASSOCIATED WITH, WE ARE THE DUMB ENVIRONMENTALIST, NOT THE ONES THAT MAKE THE ENORMOUS SALARIES BUT JUST THE ONES THAT THINK THAT PEOPLE MATTER IN THE SCHEME OF THINGS.

I FEEL LIKE I'M ALSO A CREATURE OF HABIT, THIS IS THE THIRD TIME I'VE BEEN TO A PUBLIC HEARING TO TALK ABOUT CHANGING THE MISSOURI RIVER MASTER WATER CONTROL MANUAL.

IN 1990, SOME 11 YEARS AGO, WE FILLED A LARGE MEETING ROOM IN THE HILTON HOTEL NEAR THE AIRPORT HERE IN MEMPHIS. EVERYONE PRESENT AND I DO MEAN EVERYONE SPOKE IN STRONG OPPOSITION TO THE PURPOSED CHANGES TO THE MASTER WATER CONTROL PLAN FOR THE MISSOURI RIVER. MY GOOD FRIEND MARGIE TYLER WHO AT THAT TIME WAS THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI PORTS AND HARBORS ASSOCIATION, SAID IT BEST WHEN SHE TOLD THE CORPS OF ENGINEERS REPRESENTATIVES PRESENT AND I QUOTE: "YOUR PLAN STINKS."

FOUR YEARS LATER ON OCTOBER 6, 1994 WE FILLED AN EVEN LARGER ROOM AT THE HOLIDAY INN IN THE EASTERN PART OF MEMPHIS. AGAIN EVERYONE PRESENT, EVERYONE!, SPOKE IN OPPOSITION TO THE PROPOSED CHANGES TO THE MASTER WATER CONTROL PLAN FOR THE MISSOURI RIVER. AGAIN MY GOOD FRIEND MARGIE TYLER EMPHATICALLY STATED: "YOUR PLANS STINKS."
HERE WE ARE AGAIN AT THE RADISSON HOTEL IN DOWNTOWN MEMPHIS, LET ME TELL YOUR TODAY, YOUR PLAN STILL STINKS, YOU KNOW IT STINKS, I KNOW IT STINKS BUT I'M ALSO PRETTY SURE IT'S GOING TO BE IMPLEMENTED WITH LITTLE OR NO REGARD TO THE ECONOMY OF THIS NATION AND I AS I TOLD A GROUP IN ORLANDO IN 1994, I'M NOT SURE THIS GREAT NATION'S ECONOMY CAN SURVIVE MUCH MORE OF THIS TYPE OF CHANGE.

BUT MAKE NO MISTAKE, THESE PURPOSED CHANGES HAVE VERY LITTLE IF ANY THING TO DO WITH SOME SO-CALLED ENDANGERED SPECIES. THIS IS ALL ABOUT MONEY, RECREATION MONEY TO BE MORE SPECIFIC. ALL SIX OF THE ALTERNATIVES OUTLINED IN THE REVISED DRAFT EIS ALLOWS FOR ADDITIONAL WATER STORAGE IN THE UPSTREAM RESERVOIRS IN MONTANA AND THE DAKOTAS TO KEEP THEM AT A HIGHER LEVEL THAT WILL BENEFIT WATER RECREATION.

YOU DON'T HAVE TO BE A HISTORY PROFESSOR TO KNOW THAT THOSE RESERVOIRS WERE NOT BUILT WITH TAX-PAYER DOLLARS FOR THE USE OF WATER SKIERS, BOATERS AND FISHERMEN. THEY WERE BUILT FOR FLOOD CONTROL AND NAVIGATION. THE FACT THAT WATER RELATED RECREATION HAS BECOME SUCH A FINANCIAL WIND-FALL FOR THE STATES OF MONTANA AND THE DAKOTAS IS GREAT BUT WE MUST NOT SACRIFICE FLOOD CONTROL AND NAVIGATION ON THE MISSOURI AND THE MISSISSIPPI RIVERS FOR RECREATION. IF WE CONTINUE THE TREND I SEE SO PLAINLY WE WILL SOON GET BACK TO THE POINT WHERE NO ONE HAS THE TIME TO RECREATE, EVERYONE WILL BE HARD-PRESSED TO MAKE ENDS MEET AND WATER-SKIING WILL NOT BE A PRIORITY.

AGAIN, ALTHOUGH I CAN NOT DO IT AS WELL AS MARGIE, LET ME SAY TO YOU "YOUR PLAN OR PLANS STINKS" THE CURRENT WATER CONTROL PLAN HAS WORKED WELL FOR ALL THESE YEARS, IT STILL WORKS WELL. LEAVE IT ALONE, GO HOME AND GO TO WORK,

THIS COUNTRY HAS MORE IMPORTANT THINGS TO DO. WE DON'T NEED TO BE SPENDING TIME WITH THIS FOOLISHNESS.

THANK YOU.

(To whoever is in charge)?

My name is Randy Richardson and I represent the Memphis & Shelby County Port Commission, the Port of Memphis. I want to express the appreciation of the Port of Memphis for this opportunity to again present our views on the Revised Draft Environmental Impact Statement ~~again~~. I am confused by, what part of; "Leave the existing plan alone." you don't understand? I will submit for the record my comments and I have attached copies of a letter to the President of the United States from the Southern Governor's Association dated February 20, 2001 and a copy of the Missouri River Flow Management Resolution passed by the same Southern Governor's Association on February 27, 2001. Don Sundquist, Governor of the State of Tennessee has signed and approved both of these documents.

The Port of Memphis through the Memphis & Shelby County Port Commission has followed this situation for many years and finds that we still arrive at the same conclusion as when we first began looking at the operating plan. The Port of Memphis believes that the Current Water Control Plan for the operation of the Missouri River is still the best. It satisfies all of the federally authorized purposes of flood control, navigation, hydroelectric power, fish and wildlife and recreation. We recommend that none of the other five alternatives be implemented to change the current plan of operation.

After all of the study, analysis and money that has been expended on this subject I am concerned that the true result has still not been presented. I trust that this nation and our waterways interests, which includes everyone that has an interest, does not arrive at another situation like the Upper Miss Study. That is not good for any of the parties involved, but once again, it appears that the models employed are not working. We trust that this has not gotten to be a turf battle of who is in charge. This nation's waterways are the concern of all of its citizens whether they realize it or not. The waterways function as a system and the individual segments must be separated from the whole. In this case, the Missouri River influences the performance of the Mid and Lower Mississippi, which of course influence the Upper Mississippi and the Ohio. The Port of Memphis has reviewed the points made by representatives of MARC 2000 and agrees with their key points and their explanations of those points. Since I am confident this body has a copy of the comments made by MARC 2000 I will not attach them to this statement.

It is the hope of the Port of Memphis that a conclusion to this issue can be reached. It is further our recommendation to continue the present plan of operation of the Master Water Control Manual on the Missouri River.